

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 19 DECEMBER 2019

Present: Councillor English (Chairman) and
Councillors Adkinson, Brindle, Eves, Harwood,
Kimmance, Munford, Parfitt-Reid, Perry, Spooner,
Vizzard and Young

Also Present: Councillor J Sams

163. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Chappell-Tay and Wilby.

164. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Young would be substituting for Councillor Chappell-Tay and was on her way to the meeting.

165. NOTIFICATION OF VISITING MEMBERS

Councillor J Sams indicated her wish to speak on the reports of the Head of Planning and Development relating to applications 19/503104/FULL (Land at Church Road, Harrietsham, Kent) and 19/503995/EIFUL (Land at Old Ham Lane, Lenham, Maidstone, Kent).

It was noted that Councillor McKay had registered to speak as a Visiting Member on the report of the Head of Planning and Development relating to application 19/505310/FULL (Mote Park Maidstone, Willow Way, Maidstone, Kent), but would be late in arriving at the meeting.

Note: Councillor Harwood entered the meeting at the conclusion of this item (6.05 p.m.).

166. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED: That Councillor Spooner be appointed as Vice-Chairman of the Committee for the remainder of the Municipal Year 2019/20.

167. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

168. URGENT ITEMS

The Chairman said that, in his opinion, the updates to be included in the Officer presentations should be taken as urgent items as they contained further information relating to the applications to be considered at the meeting.

169. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

170. EXEMPT ITEMS

RESOLVED: That the items on the agenda be taken in public as proposed.

171. MINUTES OF THE MEETING HELD ON 28 NOVEMBER 2019 ADJOURNED TO 5 DECEMBER 2019

RESOLVED: That the Minutes of the meeting held on 28 November 2019 adjourned to 5 December 2019 be approved as a correct record and signed.

172. PRESENTATION OF PETITIONS

There were no petitions.

173. DEFERRED ITEMS

19/500200/FULL - RETROSPECTIVE APPLICATION FOR A CHANGE OF USE OF LAND TO BE USED AS A GYPSY/TRAVELLER CARAVAN SITE CONSISTING OF ONE PITCH - LITTLE PADDOCKS, STILEBRIDGE LANE, LINTON, KENT

There was nothing further to report in respect of this application at present.

19/504225/FULL - ERECTION OF A REPLACEMENT BARN (REVISED SCHEME TO 19/502397/FULL) - LAND TO THE SOUTH OF THE GABLES, MARDEN ROAD, STAPLEHURST, KENT

There was nothing further to report in respect of this application at present.

19/501600/OUT - OUTLINE APPLICATION FOR UP TO 440 RESIDENTIAL DWELLINGS, WITH ASSOCIATED ACCESS, INFRASTRUCTURE, DRAINAGE, LANDSCAPING AND OPEN SPACE (ACCESS BEING SOUGHT WITH ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION) - LAND WEST OF CHURCH ROAD, OTHAM, KENT

The Principal Planning Officer said that the applicant was working on the reasons for deferral and it was hoped to report the application back to the Committee in the New Year.

174. 19/505310/FULL - DEMOLITION OF EXISTING CAFE BUILDING AND ERECTION OF NEW MOTE PARK CENTRE WITH ASSOCIATED TERRACES, BIN STORAGE AND CAR PARKING AND THE ERECTION OF STORAGE, MESS AND WELFARE BUILDING FOR PARK MAINTENANCE TEAM - MOTE PARK MAIDSTONE, WILLOW WAY, MAIDSTONE, KENT

There were no disclosures of lobbying.

The Committee considered the report of the Head of Planning and Development.

Ms Wallis addressed the meeting on behalf of the applicant. Councillor McKay had registered to speak as a Visiting Member, but was late in arriving at the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with:
 - The amendment of the last sentence of condition 6 (Visitor Centre – Landscaping) to refer to replacement trees (4 to replace the 4 trees that will be lost as a result of the development);
 - The amendment of the first sentence of condition 15 (Maintenance Building – Landscaping) to specify that the landscaping scheme shall be designed in accordance with the principles of the Council's landscape character guidance; and
 - An informative advising the applicant that in view of the potential phasing out of gas heating in the near future, it is recommended that alternative means of heating the building is explored.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended conditions and the informative and to amend any other conditions as a consequence.

Voting: 6 – For 3 – Against 1 – Abstention

Note: Councillors Spooner and Young joined the meeting after consideration of this application (6.25 p.m.).

175. 19/503995/EIFUL - ERECTION OF 136 RESIDENTIAL DWELLINGS TOGETHER WITH ACCESS, PARKING, DRAINAGE, LANDSCAPING AND ASSOCIATED WORKS - LAND AT OLD HAM LANE, LENHAM, MAIDSTONE, KENT

All Members except Councillors Harwood and Young stated that they had been lobbied.

The Committee considered the report of the Head of Planning and Development.

In presenting the application, the Major Projects Manager provided a verbal update and advised the Committee that he believed that Members had received an email earlier that day on behalf of a landowner to the south of the railway line at Lenham expressing concerns about the delivery strategy for future highway links.

The Major Projects Manager explained that the applicant had agreed to reserve an area of land in the southern part of the site to provide the future access link and had also agreed a strategy for its delivery prior to the completion of the final unit on the site. It was explained that the link was not required in order to make the development acceptable in highway terms and it would be onerous and unnecessary to demand the early delivery of the southern link, but that it would be provided when it was necessary. Delegated powers were sought to finalise a number of highway conditions, the principal reason being that the comments of KCC Highways had been received on the day that the agenda was published. Subject to the imposition of conditions, KCC Highways was now content that the scheme meets all of its requirements.

The Head of Planning and Development sought delegated powers to negotiate a further S106 Head of Terms to firm up the spine road strategy such that it links up to further developments to the north and the south and is not built out in isolation.

Mr Barker, an objector, Mr Bewsey, for the applicant, Councillor Greenwood of Lenham Parish Council and Councillor J Sams (Visiting Member) addressed the meeting.

RESOLVED: That subject to:

- (a) The prior completion of a S106 legal agreement in such terms as the Head of Legal Partnership may advise to provide for the Heads of Terms set out in the report and an additional Head of Terms relating to the design and delivery of the spine road with specific instructions to the Head of Planning and Development to negotiate an appropriate lower unit trigger relating to the delivery of the southern link;
- (b) Conditions 1 – 25 set out in the report with:
 - An additional condition to secure the incorporation of 10% renewable energy measures within the affordable housing element of the development; and
 - Amendments to the appropriate conditions to secure:

Enhanced landscaping in the south east corner of the site; and
The incorporation of bee bricks and wildlife friendly gullies and
gaps under fences to facilitate the movement of wildlife; AND

- (c) The conditions requested by KCC Highways relating to the site access, William Pitt Field, visibility splays, air quality mitigation scheme and refuse storage and collection with the southern link trigger being incorporated into the S106 legal agreement,

the Head of Planning and Development be given delegated powers to grant permission and to be able to settle, add or amend any necessary Heads of Terms and conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 10 – For 0 – Against 2 – Abstentions

176. 19/503104/FULL - ENGINEERING OPERATIONS TO ALTER THE LEVELS WITHIN THE PUBLIC OPEN SPACE IN THE EASTERN AREA OF THE SITE - LAND AT CHURCH ROAD, HARRIETSHAM, KENT

All Members except Councillor Young stated that they had been lobbied.

The Committee considered the report of the Head of Planning and Development.

Mr Watson, an objector, Councillor Powell of Harrietsham Parish Council, Councillor J Sams (Visiting Member) and Mr Loughead, for the applicant, addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report and an additional condition requiring a mitigation scheme for surface water run-off, including details of ongoing maintenance of the scheme.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional condition and to amend any other conditions as a consequence.

Voting: 9 – For 2 – Against 1 – Abstention

Note: The Chairman left the meeting after consideration of this application (7.30 p.m.) and the Vice-Chairman took the Chair for the remainder of the meeting.

177. 19/503532/OUT - OUTLINE APPLICATION WITH ACCESS MATTERS SOUGHT FOR DEMOLITION OF TWO EXISTING BUILDINGS AND ERECTION OF FOUR RESIDENTIAL DWELLINGS (MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE ARE RESERVED FOR FUTURE CONSIDERATION) - 3-5 KINGS ROAD, HEADCORN, ASHFORD, KENT

Councillors Adkinson, Kimmance, Munford and Spooner stated that they had been lobbied.

The Committee considered the report of the Head of Planning and Development.

Councillor Dungey of Headcorn Parish Council and Ms Jackson, for the applicant, addressed the meeting.

RESOLVED: That consideration of this application be deferred for further discussions with the applicant to (a) seek to secure a reduced scheme of three units and (b) explore the potential for a wet woodland landscaping scheme along the rear of the site.

Voting: 10 – For 0 – Against 1 – Abstention

178. 19/503527/OUT - OUTLINE APPLICATION FOR DEMOLITION OF EXISTING CHALET BUNGALOW, DETACHED GARAGE AND SHED. ERECTION OF 4 NO. DWELLINGS WITH CREATION OF NEW ACCESS AND ASSOCIATED PARKING. MATTERS RELATING TO ACCESS, LAYOUT, APPEARANCE, LANDSCAPING AND SCALE RESERVED FOR FUTURE CONSIDERATION - PENRYN, STATION ROAD, STAPLEHURST, TONBRIDGE, KENT

Councillors Adkinson, Kimmance, Munford and Vizzard stated that they had been lobbied.

The Committee considered the report of the Head of Planning and Development.

Councillor Riordan of Staplehurst Parish Council and Ms Jackson, for the applicant, addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members considered that the principle of the development of four units on this site would result in a cramped form of development that would be harmful to the character and appearance of the street scene, contrary to policy DM1 of the Maidstone Borough Local Plan 2017 and policies H1 and H2 of the Staplehurst Neighbourhood Plan.

RESOLVED: That permission be refused for the following reason:

The principle of the development of four units on this site would result in a cramped form of development that would be harmful to the character and appearance of the street scene, contrary to policy DM1 of the Maidstone Borough Local Plan 2017 and policies H1 and H2 of the Staplehurst Neighbourhood Plan.

Voting: 5 – For 4 – Against 2 – Abstentions

Councillor Kimmance requested that his dissent be recorded.

Note:

1. During the discussion on this application, concern was expressed about the limited assessment of Neighbourhood Plan policies within the Committee report.
2. Councillor Harwood left the meeting after consideration of this application (8.55 p.m.).

179. 19/503702/REM - APPROVAL OF RESERVED MATTERS FOR APPEARANCE, LANDSCAPING AND SCALE BEING SOUGHT FOLLOWING OUTLINE PLANNING PERMISSION 13/2038 FOR THE ERECTION OF 62 NO. DWELLINGS WITH ASSOCIATED CAR PARKING, LANDSCAPING AND DEMOLITION OF EXISTING DWELLING - LAND AT POSTLEY ROAD, MAIDSTONE, KENT

There were no disclosures of lobbying.

The Committee considered the report of the Head of Planning and Development.

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report.

Voting: 10 – For 0 – Against 0 – Abstentions

180. 19/505283/FULL - CHANGE OF USE OF LAND FROM AGRICULTURAL TO RESIDENTIAL - CANDLE COTTAGE, THE STREET, ULCOMBE, MAIDSTONE, KENT

There were no disclosures of lobbying.

The Committee considered the report of the Head of Planning and Development.

RESOLVED: That permission be granted subject to the conditions set out in the report.

Voting: 10 – For 0 – Against 0 – Abstentions

181. 19/505120/TPOA - TPO APPLICATION - CLEAR FELL SMALL DEAD STANDARD, CROWN LIFT WILLOW TREES BY UP TO 5M FROM BRIDGE HEIGHT TO GIVE CLEAR SIGHT LINE AND ACCESS - 54 LENSIDE DRIVE, BEARSTED, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning and Development.

RESOLVED: That subject to the expiry of the site notice and no new material planning issues being raised which have not been considered already, the Head of Planning and Development be given delegated

powers to grant permission subject to the condition and informatives set out in the report.

Voting: 10 – For 0 – Against 0 – Abstentions

182. APPEAL DECISIONS

The Committee considered the report of the Head of Planning and Development setting out details of appeal decisions received since the last meeting.

RESOLVED: That the report be noted and that the Officers be congratulated on their success at appeal.

183. DURATION OF MEETING

6.00 p.m. to 9.05 p.m.